

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

**ORDER**  
CV 97-6325 (LDW)

-against-

SALVATORE J. MAZZEO, et al.,

Defendants.

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**LINDSAY, Magistrate Judge:**

Pursuant to this court's August 21, 2006 order directing the parties to submit a status report, plaintiff's counsel has apprised the court that it has now located and spoken with defendant George Carhart, the only remaining defendant in this action. According to the plaintiff, Mr. Carhart advised that he does not intend to retain new counsel to represent him in this matter and that he will proceed *pro se*. Plaintiff further reports that the parties agreed to a five-month discovery period and that dispositive motions should be filed within two months following the close of discovery. Given this report, the following pretrial scheduling order is entered:

February 21, 2007: Deadline for the completion of all discovery (fact and expert).

April 21, 2007: Any party seeking to make a summary judgment motion shall take the first step in the motion process by this date. The parties shall refer to the individual rules of District Judge Wexler in this regard. Failure to do so may forfeit the right to make the motion.

April 30, 2007: The final conference before the undersigned is scheduled for 11:30 a.m. on this date. The parties shall file the proposed joint pretrial order in advance of the final conference.

This scheduling order will be modified by the Court only upon a timely showing of good cause. Any request for modification of this scheduling order must be in writing, and submitted in accordance with the undersigned's Individual Rule 1 (D). All parties are advised that they are under a continuing obligation to keep the Court apprised of any changes in their contact information including, but not limited to, their addresses. **Plaintiff shall serve this order on Mr. Carhart and file proof of such service with the court.**

Dated: Central Islip, New York  
October 3, 2006

**SO ORDERED:**

\_\_\_\_\_/s/\_\_\_\_\_  
ARLENE R. LINDSAY  
United States Magistrate Judge